

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WISCONSIN

RONALD F. RIECKHOFF,

Petitioner,

ORDER

v.

11-cv-803-wmc

JEFFREY PUGH,

Respondent.

RONALD F. RIECKHOFF,

Plaintiff,

ORDER

v.

12-cv-90-wmc

SHIRLEY ABRAHAMSON, *et al.*,

Defendants.

On January 11, 2013, this court dismissed the above-referenced cases filed by state inmate Ronald F. Rieckhoff. Both cases featured allegations that Rieckhoff's incarceration was the result of a corrupt conspiracy by an organized-crime family known as "La Cosa Nostra," whose membership in Rieckhoff's view includes Wisconsin Supreme Court Chief Justice Shirley Abrahamson and other, random individuals. On February 13, 2013, the court denied Rieckhoff's motion for reconsideration under Fed. R. Civ. P. 59(e). On April 5, 2013, the court denied Rieckhoff's motion for reconsideration under Fed. R. Civ. P. 60(b). Rieckhoff has now filed a notice of appeal in each of the above-referenced cases. Rieckhoff has not paid the appellate docketing fee. Therefore, he appears to request leave to proceed *in forma pauperis* on appeal. That request will be denied.

In determining whether a litigant is eligible to proceed *in forma pauperis* on appeal, the court must find that he is indigent and, in addition, that the appeal is taken in good faith for purposes of Fed. R. App. P. 24(a)(3). Assuming that Rieckhoff is indigent, the court cannot certify that the appeal is taken in good faith. In that respect, the United States Court of Appeals for the Seventh Circuit has instructed district courts to find bad faith where a plaintiff is appealing claims that have been dismissed as frivolous. *See Lee v. Clinton*, 209 F.3d 1025, 1026-27 (7th Cir. 2000). To the extent that Rieckhoff is attempting to raise on appeal the same legally frivolous claims he raised in the above-referenced cases, the court certifies that the appeal is not taken in good faith for purposes of Fed. R. App. P. 24(a)(3). Accordingly, the court will not grant leave to proceed *in forma pauperis* on appeal.

ORDER

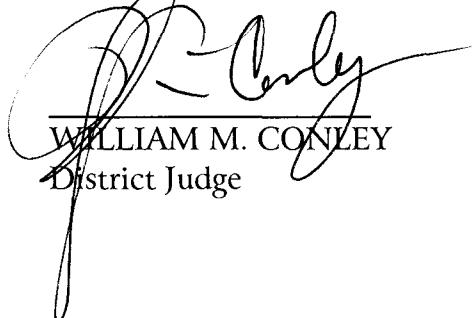
IT IS ORDERED that:

1. The court CERTIFIES that the appeal is not taken in good faith for purposes of Fed. R. App. P. 24(a)(3).
2. Ronald F. Rieckhoff's request for leave to proceed *in forma pauperis* on appeal is DENIED.
3. Although this court has certified that the appeal is not taken in good faith under Fed. R. App. P. 24(a)(3), Rieckhoff is advised that he may challenge this finding pursuant to Fed. R. App. P. 24(a)(5), by filing a separate motion to proceed *in forma pauperis* on appeal with the Clerk of Court, United States

Court of Appeals for the Seventh Circuit, within thirty (30) days of the date of this order.

Entered this 30 th day of April, 2013.

BY THE COURT:


WILLIAM M. CONLEY
District Judge